

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

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Incident Information											
URN: 013 - 05376 - 2608 - 050						Date: 04/16/13		Time: 2300			
Location: [REDACTED] Moonlight Court				City or Station: Palmdale							
Bureau/Station/Facility: North Patrol Division / Palmdale				Admin. Investigation: <input type="radio"/> YES <input checked="" type="radio"/> NO							
Type of Force: Category 2 - Control Holds & Take Down											
Incident Category: <input type="radio"/> 1 <input checked="" type="radio"/> 2 <input type="radio"/> 3				Deputy Injury: <input checked="" type="radio"/> YES <input type="radio"/> NO		Suspect Injury: <input checked="" type="radio"/> YES <input type="radio"/> NO					
<input checked="" type="checkbox"/> Call		<input type="checkbox"/> Observation		<input type="checkbox"/> Detail		<input type="checkbox"/> Foot Pursuit		<input type="checkbox"/> Vehicle Pursuit			
IAB Notified: <input checked="" type="radio"/> YES <input type="radio"/> NO		Person Notified: Lt. McBride		Emp: [REDACTED]		IAB Roll Out: <input type="radio"/> YES <input checked="" type="radio"/> NO					
Involved Employee											
E 1	Employee # [REDACTED]		Last Name: Reader		First Name: Patrick		Middle I. M.		Rank: Deputy		
Sex: <input checked="" type="radio"/> M <input type="radio"/> F		Race: W		Height: 508		Weight: 190		Age: [REDACTED]		Shift: <input checked="" type="radio"/> EM <input type="radio"/> Day <input type="radio"/> PM	
										<input checked="" type="radio"/> Regular Shift <input type="radio"/> OT Shift <input type="radio"/> Off Duty	
Unit of Assignment: Palmdale Station				Work Assignment (Unit #, Module, etc.): 263							
Individual Force Used: Control Holds & Take Down						<input type="radio"/> Directed <input type="radio"/> Rescue <input type="radio"/> Medical Assist		Individual Category: <input type="radio"/> 1 <input checked="" type="radio"/> 2 <input type="radio"/> 3			
<input checked="" type="checkbox"/> Injured <input type="checkbox"/> Treated <input type="checkbox"/> Admitted Facility: Declined						Coroner Case #					
E 2	Employee # [REDACTED]		Last Name: Crotty		First Name: Christopher		Middle I. H		Rank: Deputy		
Sex: <input checked="" type="radio"/> M <input type="radio"/> F		Race: W		Height: 600		Weight: 265		Age: [REDACTED]		Shift: <input checked="" type="radio"/> EM <input type="radio"/> Day <input type="radio"/> PM	
										<input checked="" type="radio"/> Regular Shift <input type="radio"/> OT Shift <input type="radio"/> Off Duty	
Unit of Assignment: Palmdale Station				Work Assignment (Unit #, Module, etc.): 263							
Individual Force Used: Control Holds & Take Down						<input type="radio"/> Directed <input type="radio"/> Rescue <input type="radio"/> Medical Assist		Individual Category: <input type="radio"/> 1 <input checked="" type="radio"/> 2 <input type="radio"/> 3			
<input type="checkbox"/> Injured <input type="checkbox"/> Treated <input type="checkbox"/> Admitted Facility:						Coroner Case #					
E	Employee # [REDACTED]		Last Name:		First Name:		Middle I.:		Rank:		
Sex: <input type="radio"/> M <input type="radio"/> F		Race:		Height:		Weight:		Age:		Shift: <input type="radio"/> EM <input type="radio"/> Day <input type="radio"/> PM	
										<input type="radio"/> Regular Shift <input type="radio"/> OT Shift <input type="radio"/> Off Duty	
Unit of Assignment:				Work Assignment (Unit #, Module, etc.):							
Individual Force Used:						<input type="radio"/> Directed <input type="radio"/> Rescue <input type="radio"/> Medical Assist		Individual Category: <input type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3			
<input type="checkbox"/> Injured <input type="checkbox"/> Treated <input type="checkbox"/> Admitted Facility:						Coroner Case #					
On Duty Supervisor											
Emp # [REDACTED]		Last Name: Eitner		First Name: Eric		Middle I. A		Rank: Sgt		Present: YES <input type="radio"/> NO <input checked="" type="radio"/>	
										Witness to Incident: YES <input type="radio"/> NO <input checked="" type="radio"/>	
Supervisor Completing Investigation											
Emp # [REDACTED]		Last Name: Eitner		First Name: Eric		Middle I. A		Rank: Sgt		Present: YES <input type="radio"/> NO <input checked="" type="radio"/>	
										Witness to Incident: YES <input type="radio"/> NO <input checked="" type="radio"/>	
Watch Commander / Supervising Lieutenant											
Emp # [REDACTED]		Last Name: Sylvies		First Name: Steve		Middle I. L		Rank: Lt.			

Watch Commander / Supervising Lieutenant's Signature: _____ Date: 5-14-13

Captain Don P. Ford

Unit Commander (Print Name)

Unit Commander's Signature: _____

Copy Provided to Employee by: _____

Emp #: _____

Emp #: _____

Date: 05/04/13

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

DIVISION FORCE REVIEW

Supervisor's Report on Use of Force

SUSPECT INFORMATION

0 1 3 - 0 5 3 7 6 - 2 6 0 8 - 0 5 0

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Suspect Information

S 1

Last Name Guenther		First Name Kurt		Middle Name Donald		Armed? Select Not Armed	
AKA Last Name		First Name		Middle Name			
Sex: <input checked="" type="radio"/> Male <input type="radio"/> Female	Race: W	Age: 58	Height: 600	Weight: 185	D.O.B: 07/08/54	Phone #1: <input type="radio"/> H <input type="radio"/> W <input checked="" type="radio"/> C	Phone #2: <input type="radio"/> H <input type="radio"/> W <input type="radio"/> C
Street Address: [REDACTED]				City: [REDACTED]		State & Zip Code: [REDACTED]	
Booking #: 3529-906		Primary Charge Code: 273.5(a)PC		Secondary Charge Code: 69 PC		Criminal History	
Treated on Scene? <input checked="" type="radio"/> YES <input type="radio"/> NO		Name: LA Co. Fire #131		Unit: Cpt. Riggs		Phone #: (661) 947-8700	
Hospital Admission? <input type="checkbox"/>		Rec'd Treatment At: Palmdale Regional		Coroner Case #:		Mental History <input type="checkbox"/> <small>User's guide provides direction on this entry</small>	
By: Dr. Juan Jones		Address: 38600 Medical Center Drive				Phone #: (661) 382-5000	
Under Influence: <input checked="" type="radio"/> YES <input type="radio"/> NO		Substance: Alcohol		5150 a factor in force? <input type="radio"/> YES <input checked="" type="radio"/> NO		<small>User's guide provides direction on this entry</small>	

Suspect Interview

Date: **04/17/13** Time: **0110** ☐ Audiotape: ☒ Videotape: ☒ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S

Last Name		First Name		Middle Name		Armed? Select	
AKA Last Name		First Name		Middle Name			
Sex: <input type="radio"/> Male <input type="radio"/> Female	Race:	Age:	Height:	D.O.B:	Weight:	Phone #1: <input type="radio"/> H <input type="radio"/> W <input type="radio"/> C	Phone #2: <input type="radio"/> H <input type="radio"/> W <input type="radio"/> C
Street Address:				City:		State & Zip Code:	
Booking #:		Primary Charge Code:		Secondary Charge Code:		<input type="checkbox"/> Criminal History	
Treated on Scene? <input type="radio"/> YES <input type="radio"/> NO		By:		Unit:		Phone #:	
Hospital Admission? <input type="checkbox"/>		Rec'd Treatment At:		Coroner Case #:		Mental History <input type="checkbox"/> <small>User's guide provides direction on this entry</small>	
By:		Address:				Phone #:	
Under Influence: <input type="radio"/> YES <input type="radio"/> NO		Substance:		5150 a factor in force? <input type="radio"/> YES <input type="radio"/> NO		<small>User's guide provides direction on this entry</small>	

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S

Last Name		First Name		Middle Name		Armed? Select	
AKA Last Name		First Name		Middle Name			
Sex: <input type="radio"/> Male <input type="radio"/> Female	Race:	Age:	Height:	D.O.B:	Weight:	Phone #1: <input type="radio"/> H <input type="radio"/> W <input type="radio"/> C	Phone #2: <input type="radio"/> H <input type="radio"/> W <input type="radio"/> C
Street Address:				City:		State & Zip Code:	
Booking #:		Primary Charge Code:		Secondary Charge Code:		<input type="checkbox"/> Criminal History	
Treated on Scene? <input type="radio"/> YES <input type="radio"/> NO		By:		Unit:		Phone #:	
Hospital Admission? <input type="checkbox"/>		Rec'd Treatment At:		Coroner Case #:		Mental History <input type="checkbox"/> <small>User's guide provides direction on this entry</small>	
By:		Address:				Phone #:	
Under Influence: <input type="radio"/> YES <input type="radio"/> NO		Substance:		5150 a factor in force? <input type="radio"/> YES <input type="radio"/> NO		<small>User's guide provides direction on this entry</small>	

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Supervisor's Report on Use of Force EMPLOYEE / NON-EMPLOYEE INFORMATION

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Employee Witnesses					
Emp. #	Last Name	First Name	Middle Name		
Unit of Assignment:		Work Assignment (Unit #, Module, etc.):	Shift: <input type="radio"/> EM <input type="radio"/> Day <input type="radio"/> PM <input type="radio"/> Regular <input type="radio"/> OT <input type="radio"/> Off Duty		
Emp. #	Last Name	First Name	Middle Name		
Unit of Assignment:		Work Assignment (Unit #, Module, etc.):	Shift: <input type="radio"/> EM <input type="radio"/> Day <input type="radio"/> PM <input type="radio"/> Regular <input type="radio"/> OT <input type="radio"/> Off Duty		
Emp. #	Last Name	First Name	Middle Name		
Unit of Assignment:		Work Assignment (Unit #, Module, etc.):	Shift: <input type="radio"/> EM <input type="radio"/> Day <input type="radio"/> PM <input type="radio"/> Regular <input type="radio"/> OT <input type="radio"/> Off Duty		
Non-Employee Witnesses					
Last Name		First Name	Middle Name	Age	D.O.B.
Street Address		City	Zip Code	Phone #1	Phone #2
Last Name		First Name	Middle Name	Age	D.O.B.
Street Address		City	Zip Code	Phone #1	Phone #2
Last Name		First Name	Middle Name	Age	D.O.B.
Street Address		City	Zip Code	Phone #1	Phone #2
Last Name		First Name	Middle Name	Age	D.O.B.
Street Address		City	Zip Code	Phone #1	Phone #2
Last Name		First Name	Middle Name	Age	D.O.B.
Street Address		City	Zip Code	Phone #1	Phone #2
Last Name		First Name	Middle Name	Age	D.O.B.
Street Address		City	Zip Code	Phone #1	Phone #2
Last Name		First Name	Middle Name	Age	D.O.B.
Street Address		City	Zip Code	Phone #1	Phone #2
Last Name		First Name	Middle Name	Age	D.O.B.
Street Address		City	Zip Code	Phone #1	Phone #2

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Method

(AW) Arwen	(FH) Firearm (Handgun)	(PO) Personal Weapon (Other)
(BC) Baton: (Control)	(FR) Firearm (Rifle)	(RS) Resistance
(BI) Baton: (Impact)	(FS) Firearm (Shotgun)	(RO) Restraint Device (Other)
(BF) Bodily Fluids	(FO) Firearm (Other)	(RH) Restraint Device: Handcuffs
(CN) Canine	(FB) Flashbang	(HB) Restraint Device: Hobble (Legs Only)
(CR) Carotid Restraint	(FL) Flashlight	(TP) Restraint Device: Hobble (TARP)
(CH) Choke Hold	(OE) Other Weapon: Edged	(RE) Restraint Device: REACT Belt
(CT) Control Holds: (Control Techniques)	(OV) Other Weapon: Vehicle	(SP) Sap
(TT) Control Holds: (Team Takedown)	(OB) Other Weapon: Blunt Object	(SH) Shield
(TD) Control Holds: (Takedown)	(OO) Other Weapon: Other	(IR) Less Lethal Impact Round (other)
(CE) Chemical	(PK) Personal Weapon: Feet/Leg: (Kick)	(SB) Sting Ball
(OC) Chemical Agents (OC Spray)	(PS) Personal Weapon: Feet/Leg: (Sweep)	(ST) Stun Bag
(TG) Chemical Agents (Tear Gas)	(PH) Personal Weapon (Hand/Arm)	(TR) Taser
(EX) Explosives	(PP) Personal Weapon (Push)	(UC) Uncooperative
		(HR) High Risk

Type of Injury

(AB) Abrasion	(DB) Dog Bite	(PA) Paralysis
(BR) Bruise	(FR) Fractures	(PW) Puncture Wound
(BU) Burn	(GS) Gunshot	(SD) Soft Tissue Damage
(CP) Complaint of Pain	(HB) Human Bite	(ST) Sprain/Twists
(CO) Concussion	(LC) Lacerations	(UN) Unconscious
(DH) Death	(ND) Nerve Damage	(RM) Refused Med Treatment
(DI) Dislocation	(OD) Organ Damage	(NN) NONE

Body Part Involved

(AD) Abdomen	(FA) Face	(HI) Hip
(AK) Ankle	(FE) Feet	(IN) Internal
(AR) Arm	(FI) Fingers	(KN) Knees
(BK) Back	(GE) Genitals	(LE) Leg
(BT) Buttocks	(GR) Groin	(NK) Neck
(CH) Chest	(HD) Hands	(NO) Nose
(EL) Elbow	(HE) Head	(SH) Shoulder
		(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Suspect Guenther	S1	Deputy Reader	E1	UC	NN	
Deputy Reader	E1	Suspect Guenther	S1	CT	NN	WR
Suspect Guenther	S1	Deputy Reader	E1	RS	NN	AR
Suspect Guenther	S1	Deputy Crotty	E2	PH	NN	HD
Deputy Crotty	E2	Suspect Guenther	S1	CT	NN	AR
Deputy Crotty	E2	Suspect Guenther	S1	TT	LC	FA
Deputy Reader	E1	Suspect Guenther	S1	TT	LC	FA
Suspect Guenther	S1	Deputy Crotty	E2	RS	NN	AR
Suspect Guenther	S1	Deputy Reader	E1	RS	CP	BK
Suspect Guenther	S1	Deputy Reader	E1	RS	NN	AR
Deputy Reader	E1	Suspect Guenther	S1	CT	NN	AR
Deputy Crotty	E2	Suspect Guenther	S1	CT	NN	AR
Suspect Guenther	S1	Deputy Crotty	E2	RS	NN	AR
Deputy Crotty	E2	Suspect Guenther	S1	CT	NN	AR
Deputy Reader	E1	Suspect Guenther	S1	RH	NN	WR
Suspect Guenther	S1	Deputy Crotty	E2	PH	NN	HI
Deputy Reader	E1	Suspect Guenther	S1	CT	NN	AR
Deputy Crotty	E2	Suspect Guenther	S1	CT	NN	AR
Supect Guenther	S1	Deputy Crotty	E2	PK	NN	LE
Deputy Crotty	E2	Suspect Guenther	S1	TT	FR	FA
Deputy Reader	E1	Suspect Guenther	S1	TT	FR	FA

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Force Applied

CATEGORY 2 / CONTROL HOLDS AND TAKEDOWNS

Incident Details

On April 16, 2013, Deputies Reader and Crotty received a family disturbance call. The caller [REDACTED] stated that her [REDACTED] (later identified as Suspect Kurt Guenther) was possibly intoxicated and was not letting her [REDACTED] (later identified as Victim [REDACTED]) talk to her on the phone. The caller further stated she heard her [REDACTED] in the background requesting deputies be called. When the deputies arrived on scene they saw the suspect in the backyard looking over the block wall at them. There was a wrought iron fence, approximately 4 feet high, around the front of the property. The deputies asked the suspect to let them in so they could talk. The suspect refused and began talking on his cell phone. The deputies climbed over the wrought iron fence and contacted the victim at the front door. Deputy Reader spoke to the victim while Deputy Crotty maintained a visual of the suspect who was still in the backyard looking over the wall at them. The victim, who had visible injuries to her face, told Deputy Reader that during an argument, her [REDACTED] (the suspect), strangled her and punched her in the face. The victim directed the deputies through the house and to the backyard.

As the deputies entered the backyard, the suspect, who appeared to be intoxicated, walked toward them. Deputy Reader told the suspect to turn around as he simultaneously used a firm grip to grab the suspect's left wrist. The suspect, who refused to turn around, immediately tried to pull his left wrist free from Deputy Reader's grasp. As Deputy Reader maintained his firm grip of the suspect's left wrist, the suspect swung his right fist at Deputy Crotty's face. In order to avoid being struck, Deputy Crotty quickly moved out of the way. He then used his right hand to grab the suspect's right wrist and placed his left hand on the back of the suspect's right shoulder. In order to gain control, Deputies Crotty and Reader performed a takedown by using the suspect's forward momentum to push him to the ground. The suspect landed face down in a dirt planter, his face landing in a thorny bush. As the suspect was taken to the ground, Deputy Crotty lost control of his right arm. The suspect immediately tucked his right arm under his body. While attempting to maintain control of the suspect's left wrist, Deputy Reader was injured and felt pain to his lower back. Deputy Reader ordered the suspect to stop resisting and to put his hands behind his back. The suspect refused to comply. While Deputy Reader controlled the suspect's left wrist, Deputy Crotty grabbed the suspect's left arm and assisted in pulling it behind his back. The suspect's right arm was still underneath his body.

Deputy Reader ordered the suspect to give him his right arm and he refused by saying, "Get the fuck away from me." Deputy Reader maintained control of the suspect's left arm while Deputy Crotty grabbed the suspect's right arm and pulled it behind the suspect's back. Deputy Reader handcuffed the suspect and requested additional units to the location. The suspect was placed on his left side at which time the deputies saw that he had several cuts to his forehead and was bleeding from his right eyebrow.

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After being placed into handcuffs, the suspect calmed down and followed the deputies' instructions as they helped him to his feet. The deputies escorted the suspect to the front of the house through the side gate located on the east side of the house. Deputy Crotty was slightly behind and to the left of the suspect. In order to maintain control of the suspect, Deputy Crotty had his left hand on the suspect's upper left arm and his right hand on the suspect's handcuffs. Deputy Reader was walking to the right of the suspect. As they reached the sidewalk, next to where their radio car was parked, the suspect stopped walking and said, "You stupid motherfucker!" He simultaneously grabbed and held onto the magazine holder of Deputy Crotty's gun belt. Deputy Crotty immediately told Deputy Reader that the suspect had grabbed his gun belt. Deputy Reader grabbed a hold of the suspect's right arm while Deputy Crotty maintained his hold of the suspect's left arm and handcuffs. Deputies Reader and Crotty pushed the suspect forward forcing him to let go of Deputy Crotty's gun belt. The suspect, still facing away from the deputies, raised his right leg and violently kicked backwards grazing Deputy Crotty's inner right thigh. Even though he had just been kicked, Deputy Crotty managed to maintain his hold of the suspect's left arm and handcuffs. Deputy Reader maintained his hold of the suspect's right arm. In order to gain control and prevent the suspect from kicking a second time, Deputies Crotty and Reader performed a takedown by pushing the suspect to the concrete sidewalk. The right side of the suspect's head and his right shoulder struck the sidewalk as a result of the takedown.

I (Sgt. Eitner) responded and video recorded the suspect's injuries and demeanor. The suspect's breath smelled like he had been drinking alcoholic beverages, he had an unsteady walk and appeared to have difficulty understanding and following my instructions.

Reported Use of Force by Involved Employee(s)

Deputy Reader completed a written report of his observations and actions, which was consistent with his verbal notification to me of his use of force.

Deputy Crotty completed a written report of his observations and actions, which was consistent with his verbal notification to me of his use of force.

Witness Interviews(s)

The following interview was video recorded at the location shortly following this incident by Sergeant Eitner.

VICTIM

Victim [REDACTED] told me she was assaulted by her [REDACTED] Suspect Kurt Guenther. The suspect was in the backyard when deputies arrived. V/ [REDACTED] stayed inside while deputies contacted the suspect in the backyard, just outside the back door. V/ [REDACTED] heard a commotion and the suspect yelling, "You're hurting me!" and "concussion." V/ [REDACTED] looked out the back window and initially said she saw the suspect get taken down.

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As I asked her details, V/ [REDACTED] said the suspect was already on the ground when she saw the deputies trying to get him under control. The suspect was resisting, fighting, and wasn't going to go with the deputies. The deputies told the suspect to calm down and cooperate, but he refused.

V/ [REDACTED] said that it was dark and she couldn't see much, but did see the suspect moving, fighting and trying to get away from the deputies. V/ [REDACTED] stayed inside the house and did not see the deputies escort the suspect out front.

Once she heard the suspect and deputies out front, V/ [REDACTED] went out the front door and stood in her front yard to see what was going on. By the time she got out front, the suspect was already on the ground being held down by the deputies. The suspect was uncooperative and was yelling that he was an American and had rights.

On April 22, 2013, I returned to the [REDACTED] block of Moonlight Court in an attempt to locate additional witnesses. All the neighbors I contacted said they did not witness the incident. The neighbors I contacted are listed below:

[REDACTED] (MW/ [REDACTED])
[REDACTED] lives in the house directly [REDACTED] of the suspect's house. [REDACTED] said that he was not aware that anything had happened.

[REDACTED] (FH/ [REDACTED])
[REDACTED] lives in the house directly [REDACTED] of the suspect. [REDACTED] said that she was in her bedroom asleep when she was awakened by the sound of male voices yelling at each other. [REDACTED] said the yelling sounded like it was coming from the suspect's backyard and then carried over to the front of the house. [REDACTED] said that she did not see anything nor could she make out what was being said.

[REDACTED] (MB/ [REDACTED])
[REDACTED] lives [REDACTED] the street and slightly [REDACTED] of the suspect. [REDACTED] said he arrived home at about 2300 hours and saw several sheriff cars in front of the suspect's house. As [REDACTED] pulled up to his house he saw his [REDACTED] (the suspect) sitting on the sidewalk in front of his (suspect's) house. Several deputies were standing around the suspect but were not touching him. [REDACTED] went inside his house and did not see anything else.

[REDACTED] (MW/ [REDACTED])
[REDACTED] lives [REDACTED] the street and slightly [REDACTED] of the suspect. [REDACTED] said he did not see or hear anything.

[REDACTED] (FH/ [REDACTED])
[REDACTED] lives [REDACTED] the street from the suspect. [REDACTED] said she did not see anything, nor did her parents say anything to her about seeing the incident. [REDACTED] were not home so I left my phone number with instructions for them to call me if they heard or saw anything. I have not received any calls from [REDACTED]

[REDACTED] (FH/82), [REDACTED]
[REDACTED] lives [REDACTED] the suspect. [REDACTED] said she did not see or hear anything.

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Suspect Interview(s)

Suspect Interview(s) Conducted By: ☒ **Watch Commander** ☒ **Supervising Sergeant**

WATCH COMMANDER INTERVIEW

On April 17, 2013, at 0110 hours, Lieutenant Sylvies interviewed the suspect at Palmdale Regional Medical Center. I video recorded the interview. Deputies Borits-Root and Guillen were present during the interview.

When asked what had happened, the suspect said that he saw someone (deputies) on his property. He addressed them and identified himself. He told them he was in "compliance" and they came back with great force and threw him onto the ground. The deputies smashed his face into the gravel and then tried to use the gravel to poke his eyes out. The suspect denied resisting the deputies. When asked if he tried to defend himself while he was in the backyard he replied, "No sir, I tried not to let them knock me to the ground." The suspect said that he did not provoke the deputies. When asked about what happened in the front of the house, he said the deputies "man handled" and dragged him out front for no reason. The suspect denied swinging or kicking at the deputies. The suspect said he did not do anything that warranted being taken to the ground. The suspect denied drinking alcohol or using narcotics.

When asked if the deputies struck him with their fists, flashlights or batons he replied, "No not flashlights or batons, but they kneed at me." When asked if he had any other injuries besides the injuries to his face he replied that his entire body was hurting.

During the interview, the suspect displayed symptoms of being under the influence of alcohol. I could smell the odor of alcoholic beverages on his breath. His thought process appeared to be somewhat impaired as he often rambled on and would say things that didn't make sense.

Medical Review

Los Angeles County Fire Engine Company #131 under the supervision of Captain Riggs responded to the scene and treated the suspect for his injuries.

Deputies Inocente and Kabanjian (266A) transported the suspect to Palmdale Regional Hospital for his injuries and to obtain a medical clearance for booking.

The suspect had multiple minor cuts and scratches on his face, a laceration above his left eyebrow that required two sutures, swelling above his right eye, and a facial fracture below his right eye. Doctor Jones stated the cuts and scratches to the suspect's face, along with the laceration that required sutures, were consistent with his face striking a thorny bush. Dr. Jones said the facial fracture was consistent with the suspect's face striking the sidewalk.

The suspect was medically cleared by Dr. Jones for booking at Palmdale Station.

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Training & Tactical Review

☒ **Debriefing held to discuss training and tactical issues.**

Deputies had legal standing to contact and detain the suspect for spousal assault.

There was one issue of concern in regards to why the deputies chose to engage the suspect rather than deploy O.C. spray and/or other weapons such as a Taser once the suspect became assaultive. The deputies said there were two reasons why they didn't use O.C. spray or deploy the Taser. The first being the suspect was too close as he was only a few away from the door as they entered the backyard. The second reason being the suspect approached them too quickly and they didn't have time.

In light of the above circumstances, it is my opinion the deputies reacted appropriately. The use of control holds and the takedowns were objectively reasonable and within Departmental policy according to the "Situational Use of Force Options Chart."

Watch Commander's Review

I concur with Sergeant Eitner's review of the force. The force used was reasonable and within Department policy.

The suspect quickly engaged the deputies and did not allow an opportunity for them to utilize other means to avoid the force or deploy OC spray or a Taser. The deputies responded appropriately and took immediate action when the suspect launched his physical assault.

The deputies use of the control holds and takedowns allowed them to overcome the suspect's assaultive behavior. The suspect's continued attempts to assault the deputies led to the force and injuries obtained during the altercation.

I recommend no further actions.

Case Status

On April 17, 2013, Palmdale Detective Bartlett submitted the case to the District Attorney's Office at the Antelope Valley Courthouse. The District Attorney's Office filed one felony count of 273.5(a) PC-Inflict Corporal Injury to a Spouse, and two felony counts of 69 PC-Delay/Resist a Peace Officer, against the suspect. On April 17, 2013, the suspect posted bond and was released from custody pending trial.

On April 18, 2013, the suspect was [REDACTED] for [REDACTED] and [REDACTED] Deputies had to resort to force again to overcome the suspect's resistance. The report was authored under file #013-05465-2608-053. It should be noted the suspect committed suicide while housed at Men's Central Jail.